

We concur: Boren, P.J.
 Chavez, J.

DIVISION TWO (continued)

B204598 Los Angeles County, D.C.S. (Not for Publication)
v.
Rebecca R.

The jurisdictional findings and disposition order are affirmed. The juvenile court's December 19, 2007 minute order at paragraph 10 correctly reflects that the dependency petition was sustained pursuant to section 300, subdivisions (a), (b) and (j). Paragraph 13 of the minute order must be corrected to reflect that the petition was sustained pursuant to section 300, subdivision (b), as to counts, 1, 2, 3 and 4.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

B206256 Los Angeles County, D.C.S. (Not for Publication)
v.
Christine S.

The order terminating mother's parental rights is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION TWO (continued)

B203457 Los Angeles County, D.C.S. (Not for Publication)
v.
Armando L.

The judgment is reversed to the extent it finds that David is a dependent of the court under section 300, subdivision (d), otherwise it is affirmed. The dispositional order under section 361, subdivision (c) is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION THREE

B195337 People (Certified for Partial Publication)
v.
Michael Jerome Sutton et al

Defendant Michael Sutton's motion for judicial notice is granted. As to Michael Sutton, the judgment is reversed and remanded as to the sentence enhancements imposed under Penal Code section 667.5, subdivision (b), and under Health and Safety Code section 11370.2, subdivision (a). The judgment as to both defendants is otherwise affirmed.

Aldrich, J.

We concur: Klein, P.J.
 Kitching, J.

DIVISION THREE (continued)

B202863 Los Angeles County, D.C.S. (Not for Publication)
v.
Anthony H.

The order terminating parental rights is reversed for the limited purpose of determining whether ICWA applies. To that end, the trial court is directed to order the Department to either provide evidence that it complied with the notice requirements of ICWA and the related state and federal laws, or to give such notice in compliance with ICWA and the related federal and state laws. After the court finds that there has been substantial compliance with the notice requirements of ICWA, it shall make a finding with respect to whether N. is an Indian child. If at anytime within 60 days after notice was given there is a determinative response and the trial court finds that N. is an Indian child, the dependency court shall set a new Section 366.26 hearing and thereafter shall proceed in accordance with ICWA and all related federal and state laws. If the court receives a determinative response at anytime within 60 days after the notice was given and the court finds that N. is not an Indian child, the court shall reinstate the order terminating parental rights. If there is no such determinative response within 60 days, the court shall find that N. is not an Indian child, and the court shall determine that ICWA does not apply and shall reinstate the original order terminating parental rights.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B196483 People (Certified for Publication)
v.
Windus

The judgment is reversed. The matter is remanded for the trial court to conduct further proceedings consistent with this opinion.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

B201195 Gehr (Certified for Publication)
v.
Baker Hughes Oil Field Operations, Inc. et al.

The judgment is affirmed. Respondent(s) to recover costs.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

B197322 Burk (Not for Publication)
v.
Burk

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

July 30, 2008 (Continued)

DIVISION FOUR (continued)

B199977 Lippert et al. (Not for Publication)
v.
TJR Industries, Inc. et al.

The trial court's order denying defendants/appellants' petition to compel arbitration and motion to stay proceedings is reversed. For the reasons expressed in this opinion, we conclude that the appeal is not frivolous and deny plaintiffs/respondents' motion to dismiss. Appellants shall recover their costs on appeal.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FIVE

B200912 People (Not for Publication)
v.
Alejandro Espinoza

The judgment is modified to reflect the imposition of seven additional Penal Code section 1465.8, subdivision (a)(1) court security fees and to correct the presentence custody credits as set forth above. Upon remittitur issuance, the trial court is to impose sentences as to counts 2 and 3 as described in the body of this opinion and then stay them pursuant to Penal Code section 654, subdivision (a). Upon resentencing and remittitur issuance, the clerk of the superior court is directed to forward a copy of the amended abstract of judgment to the California Department of Corrections and Rehabilitation. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

July 30, 2008 (Continued)

DIVISION FIVE (continued)

B201759 Jun Lu
v.
Shu Qi

Filed order granting petition for rehearing.

DIVISION SIX

B197452 People (Not for Publication)
v.
Rivas

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B198805 People (Certified for Publication)
v.
Pearson

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

July 30, 2008 (Continued)

DIVISION SIX (continued)

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B202221 People (Not for Publication)
v.
Lane

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B203034 People (Certified for Publication)
v.
Diaz

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

July 30, 2008 (Continued)

DIVISION SIX (continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B202761 San Luis County, Dept. of Social Services (Not for Publication)
v.
Lyne O.,

The order is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SEVEN

B201207 Ball (Not for Publication)
v.
Bederman et al.

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

July 30, 2008 (Continued)

DIVISION SEVEN (continued)

B201960 O.E.I. International, Inc. (Not for Publication)
 v.
 Yong Ming International Group, Inc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

B197080 Miller
 v.
 Mercury Casualty Company

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Rubin, J., Flier, J., Bigelow, J. and Connie Hon, Deputy Clerk.

Each of the following:

B196877 People v. Hernandez
B197521 People v. Vallier
B197625 People v. Gonzalez
B199565 People v. Randall
B202588 DCFS v. Tanairy H. et al.
B203199 People v. Scott
B197338 People v. Avila
B201909 People v. Brown
B203927 People v. Simpson
B204014 People v. Odom

DIVISION EIGHT (continued)

Each of the following (continued):

B204140 People v. Evans
B207241 Steven C. v. SCLA (DCFS)

Argument waived, cause submitted.

B203908 Los Angeles County, D.C.S.
 v.
 Robert L.

Merits:

Argued by Roland Koncan for appellant and by Kim Nemoy, Deputy
County Counsel for respondent. Cause submitted.

B195597 People
 v.
 Sandoval and Arreola

Merits:

Argued by Dorris Frizell and Joanna McKim for appellants and by Joseph
P. Lee, Deputy Attorney General for respondent. Cause submitted.

B196182 Gombiner
 v.
 Swartz

Merits:

Argued by Leo Schwartz for appellant and by James Cooper for
respondent. Cause submitted.

DIVISION EIGHT (continued)

B196615 Hile
 v.
 Clippinger Chevrolet

Merits:
Argued by Jeffrey McMillen for appellant and by Jamie N. Gonzalez for respondent. Cause submitted.

B199596 Tong
 v.
 Brownstein et al.

Merits:
Argued by Tu My Tong, appellant in propria persona and by William M. Aitken for respondents. Cause submitted.

Cooper, P.J. left the bench.

B195677 Shtofman,
 v.
 Mercedes Benz Of North America, Inc., et al.

Merits:
Argued by C. Forrest Bannan for appellants and by Andrew Krzemuski and Richard Sullivan for respondent. Cause submitted.

Cooper, P.J. returned to the bench.

B195061 Altman,
 v.
 Akselrod

Merits:
Argued by David Altman for appellant. Respondents previously waived oral argument. Cause submitted.

Court recessed.

DIVISION EIGHT (continued)

Court reconvened at 1:00 p.m.

Present: Cooper, P.J., Rubin, J., Flier, J. and Connie Hon, Deputy Clerk.

B195552 Stonehouse Homes LLC,
 v.
 City Of Sierra Madre et al.

Merits:

Argued by Garrett Hanken for appellant and by Holly Whatley for respondents. Cause submitted.

Bigelow, J. returned to the bench.

B201665 Stoltz et al.
 v.
 Citrus Valley Health Partners, Inc., et al.

Merits:

Argued by Scott Bradford for respondent Kee Wong, by Caroline Chan for respondent Citrus Valley Health Partners, Inc., and by Stephen L. Belgum for appellants. Cause submitted.

B205065 People
 v.
 Armand

Merits:

Argued by Milad Sadr for appellant and by Eric J. Kohm, Deputy Attorney General for respondent. Cause submitted.

B203970 People
 v.
 Rosales

Merits:

Argued by Luis A. Carrillo for appellant and respondent waived oral argument. Cause submitted.

DIVISION EIGHT (continued)

B196779 In re the Conservatorship of Lucia Gonzalez Vilchez
 v.
 Seville Properties et al.

Merits:

Argued by Joseph Curd for appellants and Mary O'Neill appearances for respondent. Cause submitted.

B197816 American Diversified Properties, Inc.,
 v.
 Valleywide Escrow, Inc.

Merits:

Argued by Thomas Norminton for appellant and by M. Stephen Davis for respondent. Cause submitted.

Flier, J. left the bench.

B201266 Dibernardo,
 v.
 Leight et al.,

Merits:

Argued by Michael Leight for appellants and by Patrick Maloney for respondent. Cause submitted.

Court adjourned.